

C: APPLICATION COVER SHEET

Name: Daniel J. Schweitzer

Address: 50 Lord Road, Westport, ME 04578

City: Westport

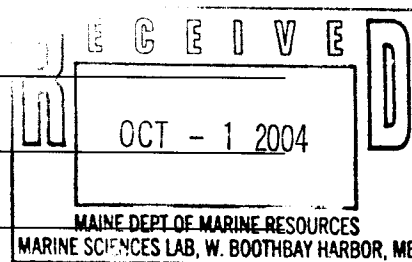
County: Lincoln

State, zip: Maine, 04578

Telephone: business 882-8024 home same cell

Email address: islandoyster@clinic.net

Date of Pre-application meeting: July 22, 2004



Accepted as Complete 10/18/04

	<u>town</u>	<u>county</u>	<u>waterbody</u>
Location of lease site:	Wiscasset	Lincoln	Salt pond of the Sheepscot river

Total acreage requested: 1.94 acres
(100-acre maximum)

Lease Term requested: Ten years.
(10-year maximum)

Name of species to be cultivated, common and scientific names: Eastern oyster C. virginica,
European oyster O. edulis, Hard clam M. mercenaria,
Soft shell clam M. arenaria,
Razor clam E. directus, Surf clam S. solidissima,
Bay scallop A. irradians,

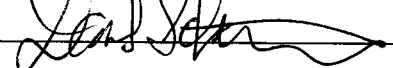
Name and address of the source of seed stock, juveniles, smolts, etc., to be cultivated:

Muscongus bay Aquaculture, P.O. Box 158, Bremen, ME 04551-0158
Adam & Michelle Cambell, 866 Middle road, North haven, ME 04853

Sandy Cove hatcheries,, Inc. P.O. Box 64, Harrington, ME 04643
Marshall Point sea Farm, LLC. 18 Lobster Pound Road, PortClyde, ME04855
Mohegan aquaculture LLC. 72 water Street, Stonington, CT 06379 *

Amount of application fee enclosed: \$250.00

I hereby state that the information included in this application is true and correct and that I have read and understand the requirements of the Department's rules governing aquaculture.

Signature:  Date: 9/15/09

* THIS HATCHERY WILL BE USED IF WHEN THE MAINE HATCHERIES ARE UNABLE TO SUPPLY SEED.

DANIEL J. SCHWEITZER
STANDARD LEASE APPLICATION
SUSPENDEND AQUACULTURE – NO DISCHARGE

Site Location

- a. Vicinity Map – attached.
- b. Plan View – attached.

2. Site Development

2a & 2b. Single Structure Schematics – attached.

2c & 2d. Maximum Structure Schematics – attached.

2e. On-Site Support Structures

- 1. Schematic attached.
- 2. Gasoline and or oil will not be stored on site.
- 3. A porta-potti will be located in the shed and will be emptied at the owner's home.

2f. Mooring Plan – Cross Section –attached.

2g. Mooring System Adequacy.

Due to the geography of the upland, the proposed lease area is extremely well protected from the action of waves, wind, and current. This protection is has resulted in the lease bottom being covered in soft mud and silt. The applicant currently holds an experimental lease at the same location and has found that all of the proposed floating gear can be adequately secured with concrete blocks and or mushroom anchors (see 2f. Mooring Plan) The wire bag racks and wire oyster trays do not require mooring gear as they sit directly on the bottom and their own weight plus that of the oysters is more than sufficient to hold them in place.

2h. Structure and Mooring Array Schematic – attached.

2i. Equipment Layout - photographs attached.

2j. Gear Color.

The floating oyster bag long lines are composed of black bags and black floats. The upweller/ float and shed will be wood tone and or gray or dark green. Skiff or dinghies used on site are white, gray, green and brown. All other gear is bottom gear and will usually not be visible.

3. Operations.

a. Production Activities.

- 1. When necessary a boat will be used to move materials to and from the lease and local public launching ramps and or the applicant's home. A dinghy and or skiff will be used to access gear from land at times of high water or when necessary. The lease area is visited several times each day for maintenance. While most work is performed during daylight hours; tides and inclement weather sometimes make it necessary to visit the lease area after dark.

Cultivation techniques will include scrubbing upweller silos every other day or as needed and grading the animals once per week with various mesh sizes. Fortunately, this site has little growth of fouling organisms. The long line bags are typically flipped over by hand every other week. Fouling on bag racks and on oyster trays will be controlled using a scrub brush. Bottom mesh panels are unlikely to become fouled as the soft mud prevents attachment and growth fouling organisms.

This lease is used as a nursery and grow-out site. Harvesting involves emptying mesh bags and scrubbing, counting the oysters. The upweller/ float will serve as both a work platform and as housing for the upweller silos. Its appearance will essentially mirror that of typical mooring floats found all throughout the coast of Maine. The upweller will contain 10 to 20 silos and will be powered by one or two inaudible electric pumps (each pump – 120 volt/ one horsepower or less). It will be constructed of spruce timbers, plywood and fiberglass. Foam billets or plastic floats will provide flotation. The applicant is currently discussing installation of electrical service with a riparian. If electrical service is not installed at this site, the upweller/ float will still be used as a work platform and shed.

2. Start – Up Production
Months one to twelve: 300,000 animals.
Maximum stocking density: 1,000,000 animals.
3. The applicant has been involved in shellfish aquaculture for over twelve years. The proposed gear types are the best available technology for the proposed culture activities.

3b. Noise and Light

1. Noise generated by lease activities will be minimal. The dinghies and skiff used on this lease are powered by oars and or small outboard motors. The upweller water pump will be powered by one horse power (ice eater type) electric motors. These motors are not audible. If a riparian grants the applicant permission to install electrical service, the use of a gasoline powered generator will only be necessary during rare power outages. Otherwise, a 3 horse power electric generator enclosed in a foam baffle will be used to power a wire brush motor which is inaudible.
2. The inaudible upweller pumps water continuously from May through November. If electrical service is established at the pond, a generator enclosed in a foam baffle will only be used during power outages. Without electrical service, a generator will be typically used one day per week.

3. The generator will be equipped with a muffler and will be enclosed in a foam enclosure.
4. Work performed at this lease will take place mostly during hours of daylight. Occasionally, two 100 watt incandescent lights will be used on the deck of the upweller/ float.
5. The occasion mentioned in number four above may include preparation for a storm or other uncontrollable event.

4. Environmental Characterization

This lease site has mean low water depths between one and six feet. What little current there is, exists only during flood and ebb tides. This current runs Northwest and Southeast and is less than one half knot. Bottom topography is flat with a gentle downward slope towards the deep area (6' @ low) located at the southeast corner of the lease. Bottom sediments consist of soft mud and fine sediments. There are no marine plants growing on the lease. Marine fauna includes minnows (common), green crabs (common) and eels (rare). Upland flora is a mix of fir and deciduous trees. Along the water's edge there is a thin band of marsh grass. The tidal range is approximately three feet within this area of the salt pond.

5. Area Resources

- a. There are no shellfish beds or submerged vegetation beds in the area surrounding the proposed lease. A letter from the Director of the Stock Enhancement Division (Maine Department of Marine Resources) is attached and indicates that this lease is unlikely to interfere with fish migration. The lease area has a shellfish growing area classification of 'conditionally approved' for the harvesting of shellfish from September 15th to May 15th.
- b. There are no Essential Habitats or Significant Wildlife Habitats associated with this lease area (see attached Maine Department of Inland Fisheries and Wildlife letter).

6. Surrounding Area Use

- a. Riparian Property
 1. Wiscasset tax map attached.
 2. Certified list of riparian owners attached.
 3. Permission to cross riparian property is attached. This lease can also be accessed by boat or wading by way of the Sheepscot River. The applicant is currently seeking permission to install electrical service.
 4. The riparian owners do not use the lease area for access.

1b.
PLAN
VIEW

Mean High Water
Mean Low Water

Applicant holds an existing 'experimental' lease within these same coordinates.

NOT
TO
SCALE

Outfall:

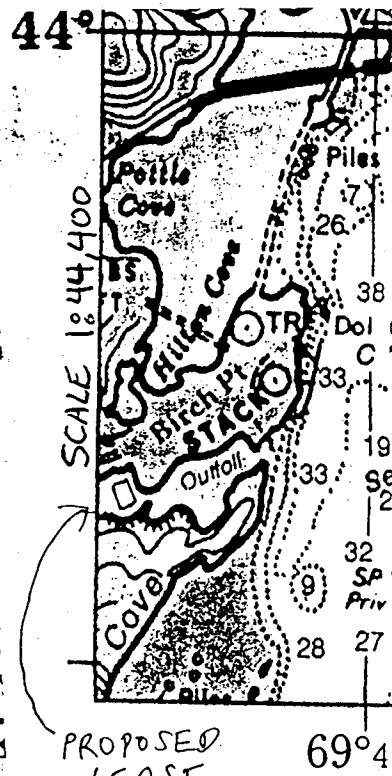
Ebb >

< Flood

LEASE

True north

INSET



PROPOSED
LEASE

Reproduced from NOAA chart no. 13293
corrected to April 22, 1995
North American Datum 1983. (WGS 1984)
For additional update information,
see appendix A.

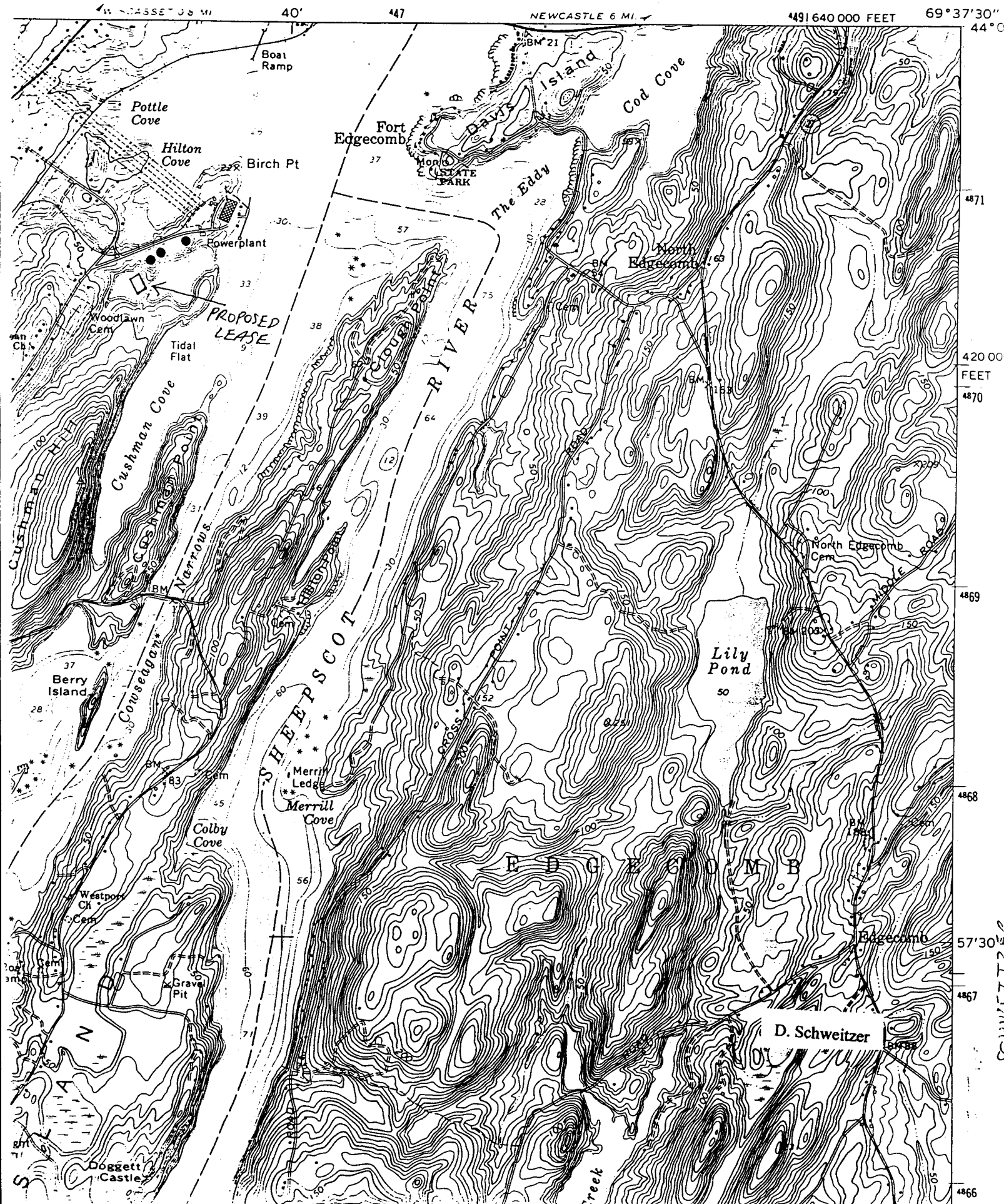
D. Schweitzer

1a. VICINITY MAP

WESTPORT QUADRANGLE
MAINE
7.5 MINUTE SERIES (TOPOGRAPHIC)

NW/4 BOOTHBAY 15' QUADRANGLE

69°37'30" 44°0'



1b. PLAN VIEW
CORNER
COORDINATES

NW corner 43° 59' 16.59" N
69° 40' 35.17" W

NE corner 43° 59' 18.42" N
69° 40' 32.30" W

SW corner 43° 59' 14.00" N
69° 40' 32.00" W

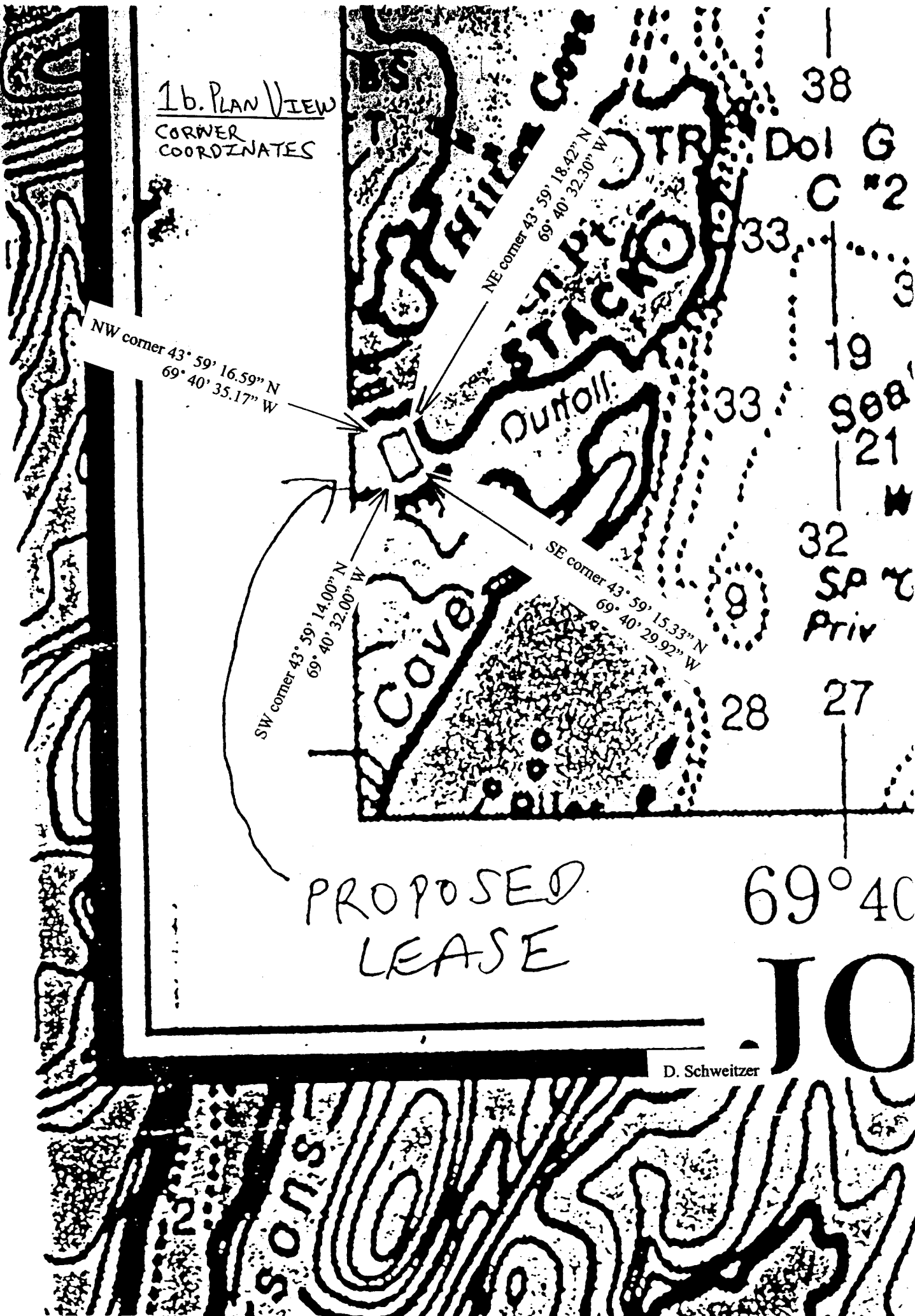
SE corner 43° 59' 15.33" N
69° 40' 29.92" W

PROPOSED
LEASE

69° 40'

JO

D. Schweitzer



6b. Existing Uses

1. The applicant currently holds an 'experimental lease' at this location and uses the pond to access the lease by boat. Otherwise, there is no commercial or recreational navigation taking place within the pond area.
2. This lease will require exclusive use of the area within the boundaries of the lease. As this lease application is a continuation of activities already performed at this location, and there are no existing uses of the area, there will be little or no impact on existing or potential uses of the area.

7. Technical Capability

Please see the attached resume.

8. Financial Capability

a. Bank statement attached.

b. Cost Estimates

<i>Year One:</i>	Seed	\$1500
	Electrician	2000
	Lease fees	97
	Insurance	750
	Miscellaneous	500

<i>Year Two:</i>	Seed	\$2000
	Upweller	3000
	Lease fees	97
	Insurance	750
	Misc.	500
	Electric	280

<i>Year Three:</i>	Seed	\$2500
	Lease fees	97
	Insurance	750
	Electric	280
	Misc.	500

Total Estimated Project Cost Years 1 – 3: \$15,601

c. Other Lease Interests

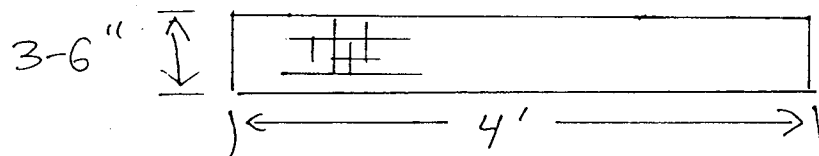
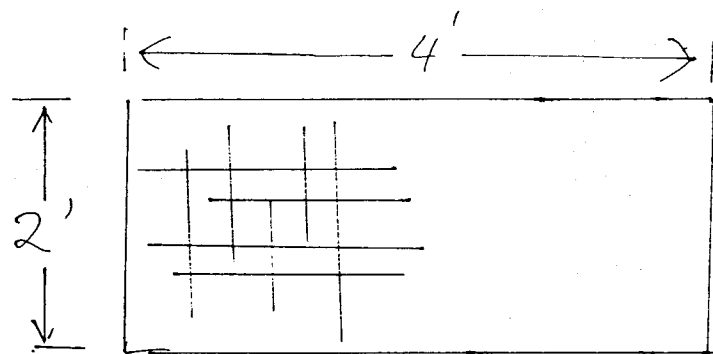
The applicant currently holds three Maine aquaculture leases.
These are: SCHW MS 3, SCHW GO, SCHW SQW.

d. The applicant is a sole proprietor.

9. Other Requirements

- a. The applicant will obtain a performance bond (\$5000) upon issuance of the lease by the Maine DMR.

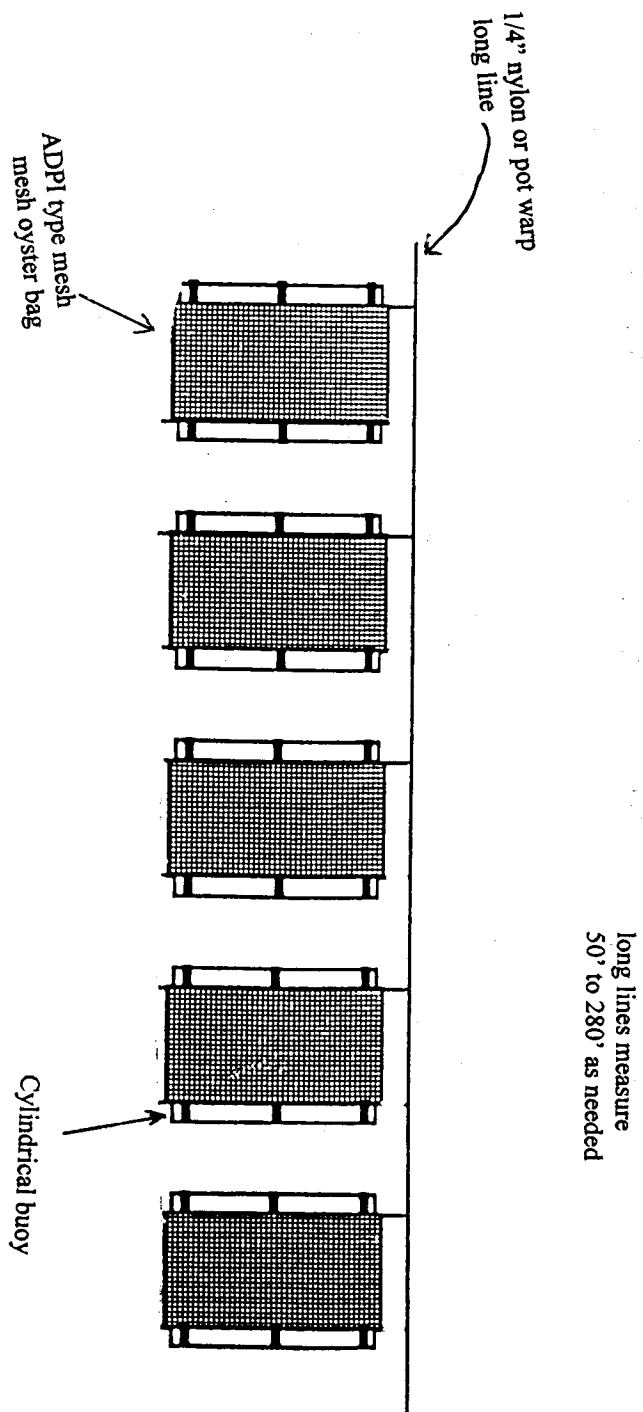
2a. SINGLE STRUCTURE SCHEMATIC
MESH BAG - OYSTER BAG



D. Schweitzer

2a. Top view – oyster bag long lines.

To be used on surface and on bottom.

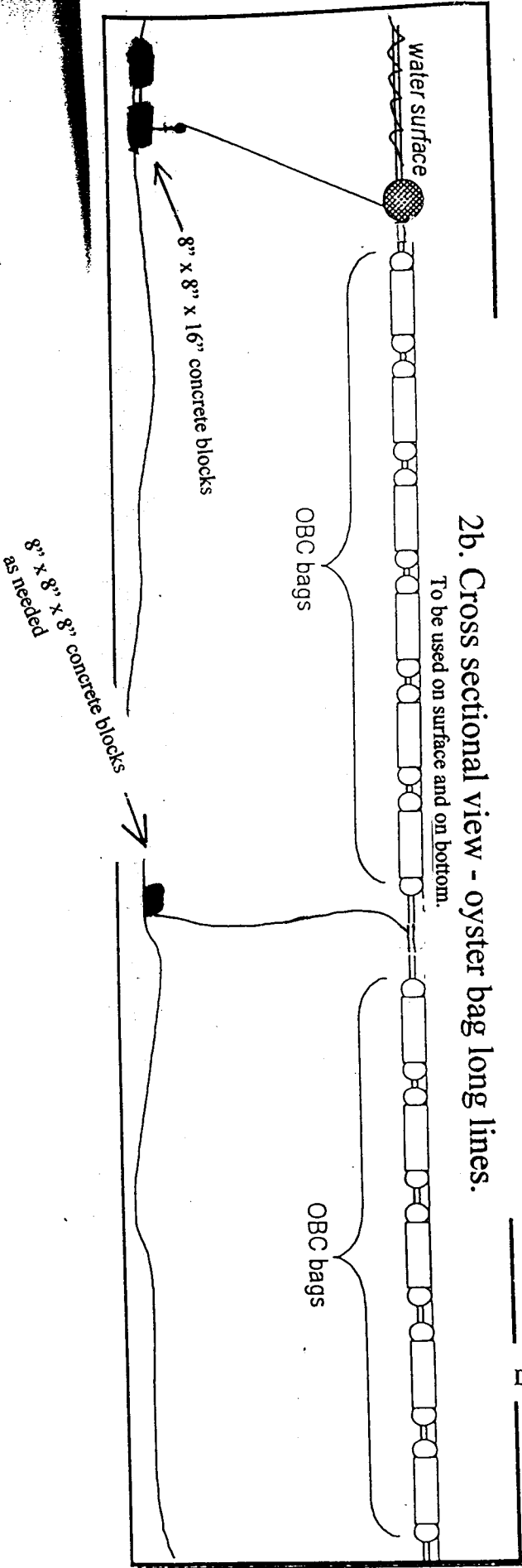


D. Schweitzer

2b. Cross sectional view - oyster bag long lines.

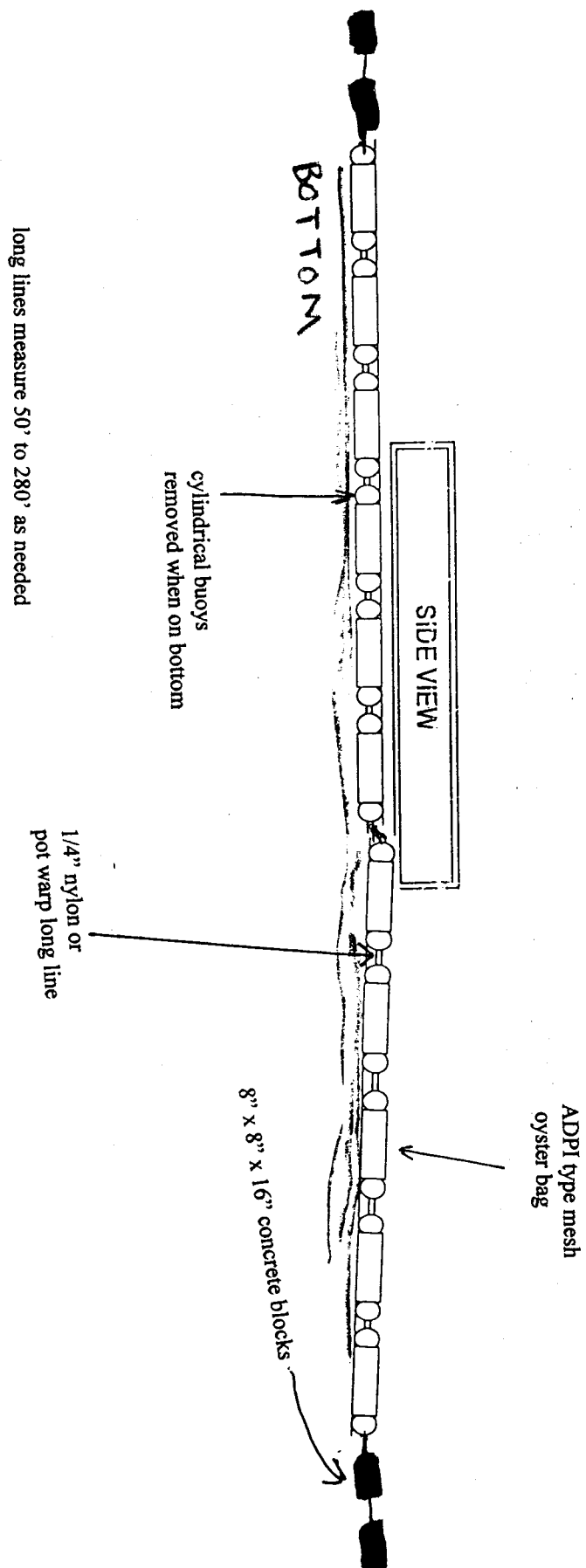
To be used on surface and on bottom.

not to scale



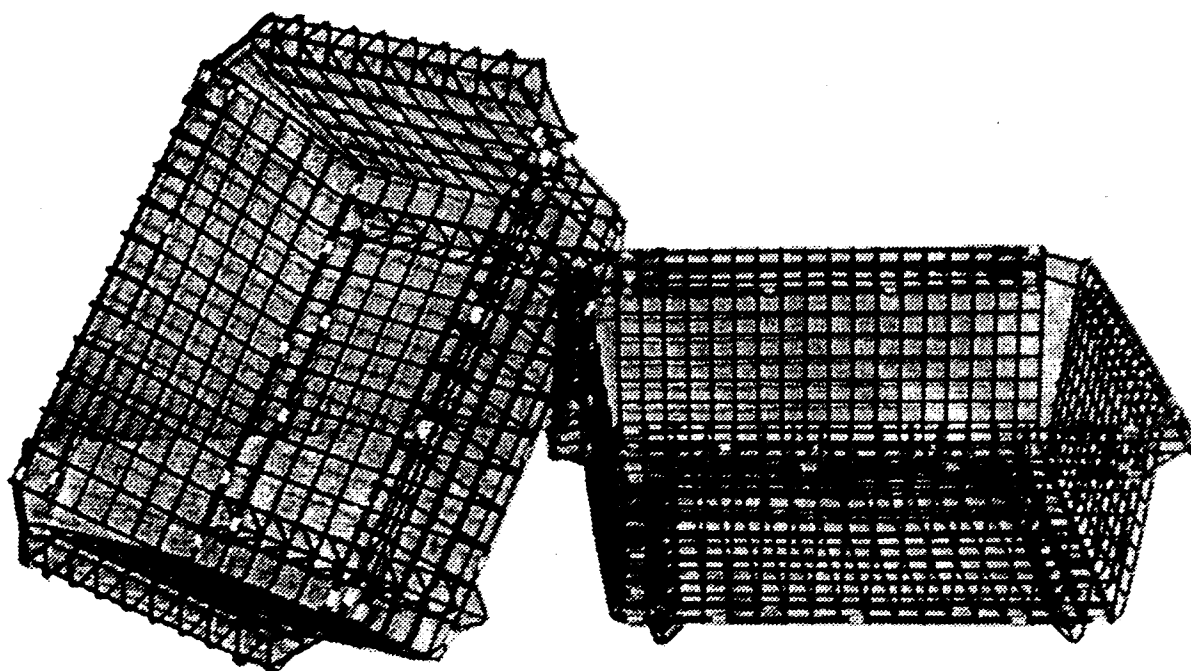
2b. Cross section – oyster bag long line on bottom.

D. Schweitzer



2a. Top view – oyster trays.

These sit on bottom.



2b. Cross sectional view – oyster trays.

These sit on bottom.

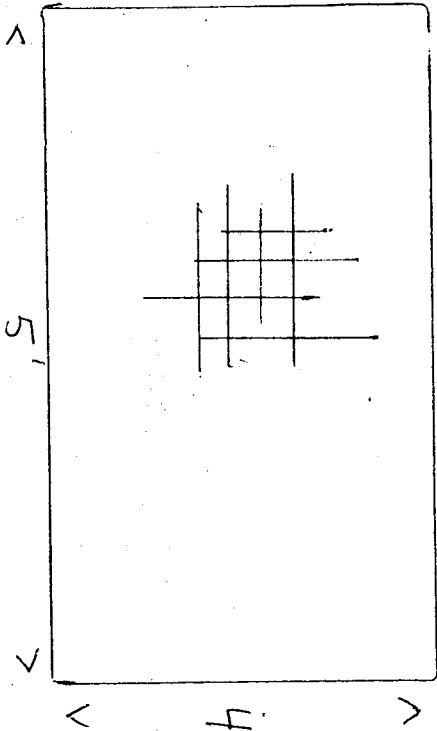
wire oyster trays sit on the bottom
10" high, 20" long, 18" wide

Distance off bottom
single tray 10",
stacked two high 20"

D. Schweitzer

2a. Top view – oyster bag racks.

These sit on bottom.

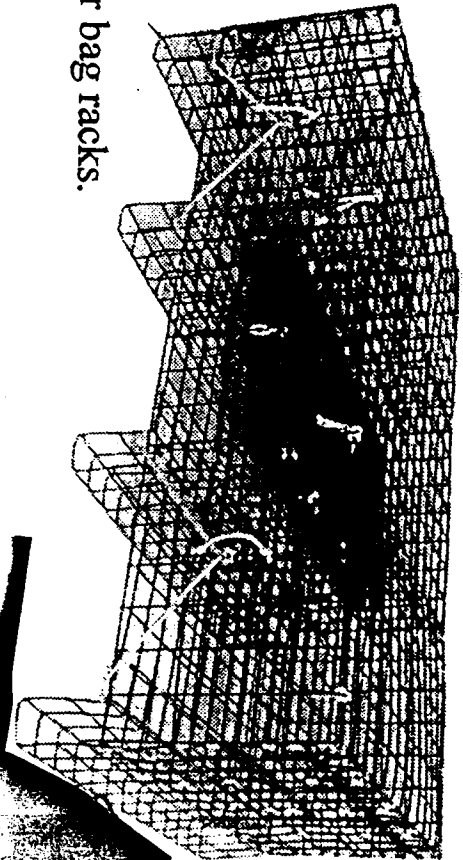


shellfish bag rack
3' high, 5' long, 4' wide

2b. Cross sectional view – oyster bag racks.

These sit on the bottom.

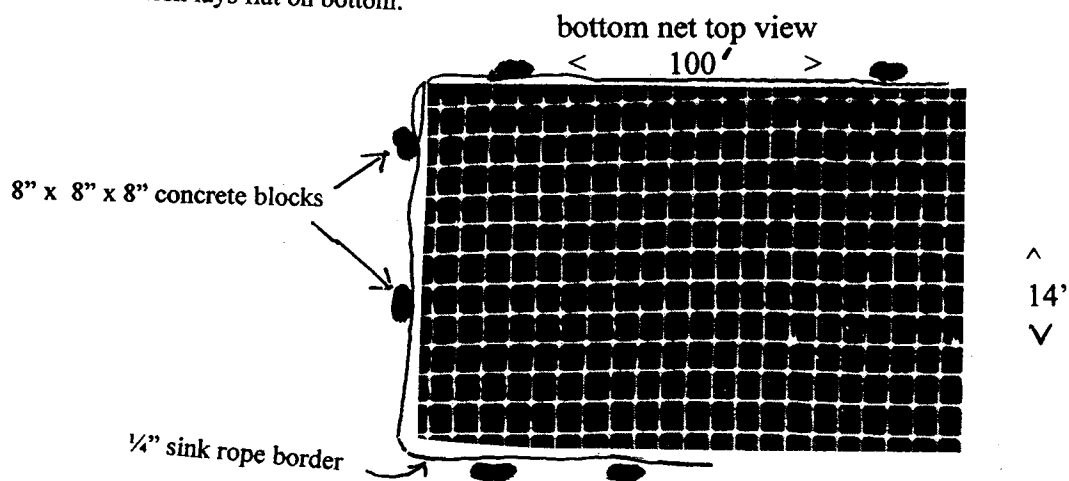
Shellfish Rack
Three high, triple wide with door



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2a. Top view – bottom mesh.

Mesh lays flat on bottom.



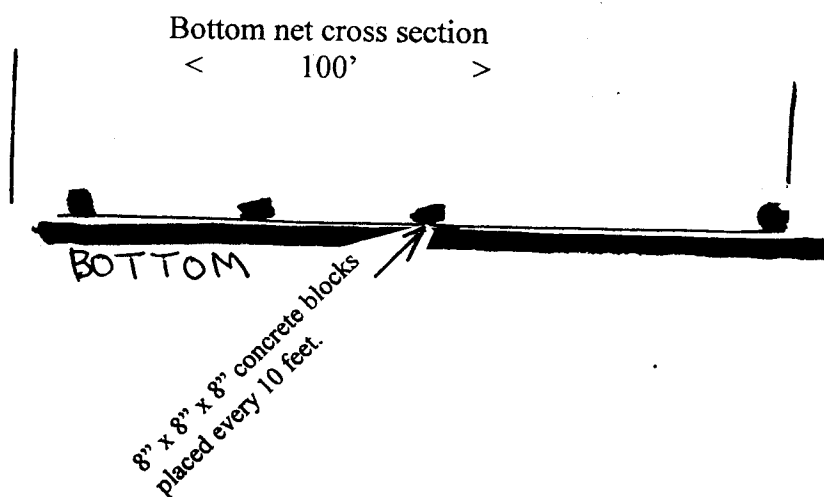
Materials to be used for bottom mesh panels:

Model	Mesh Size	Mesh Shape
R9	.23"x.27"	Rectangle

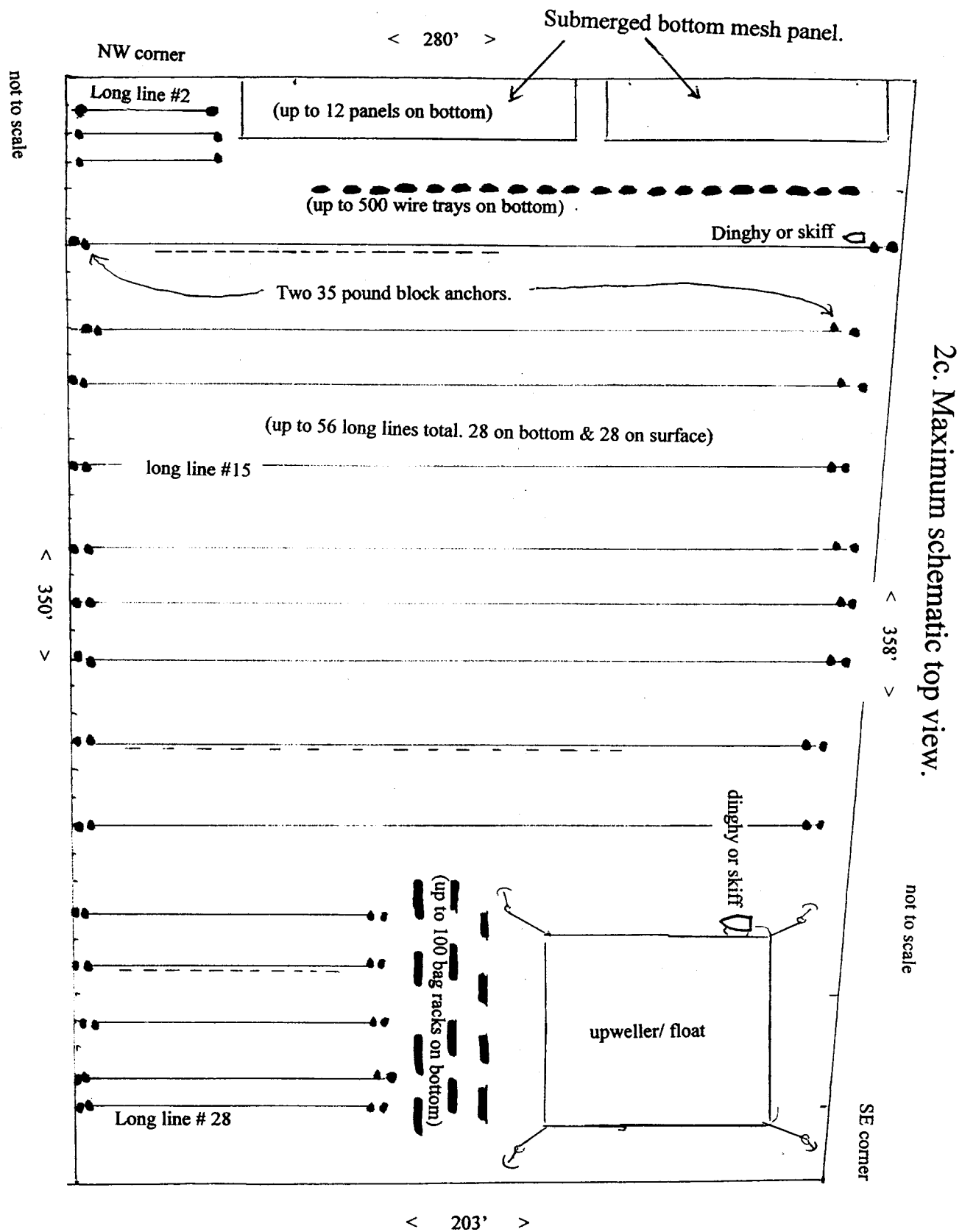
or shrimp netting
or 3/8" Tenax mesh

2b. Cross sectional view – bottom mesh.

Mesh lays flat on bottom.



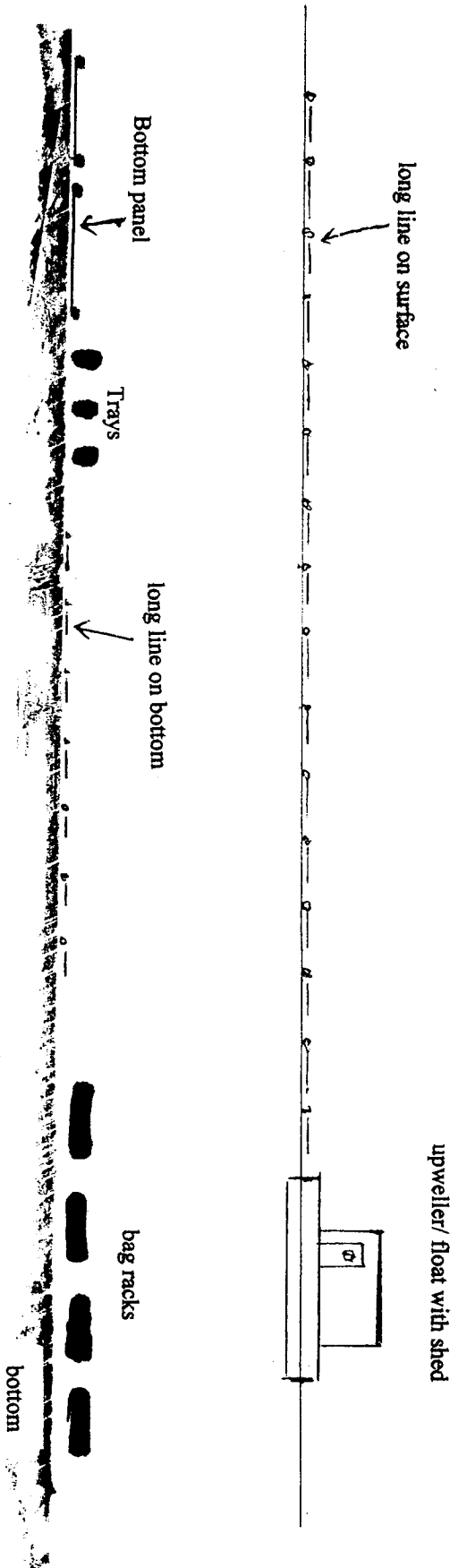
D. Schweitzer



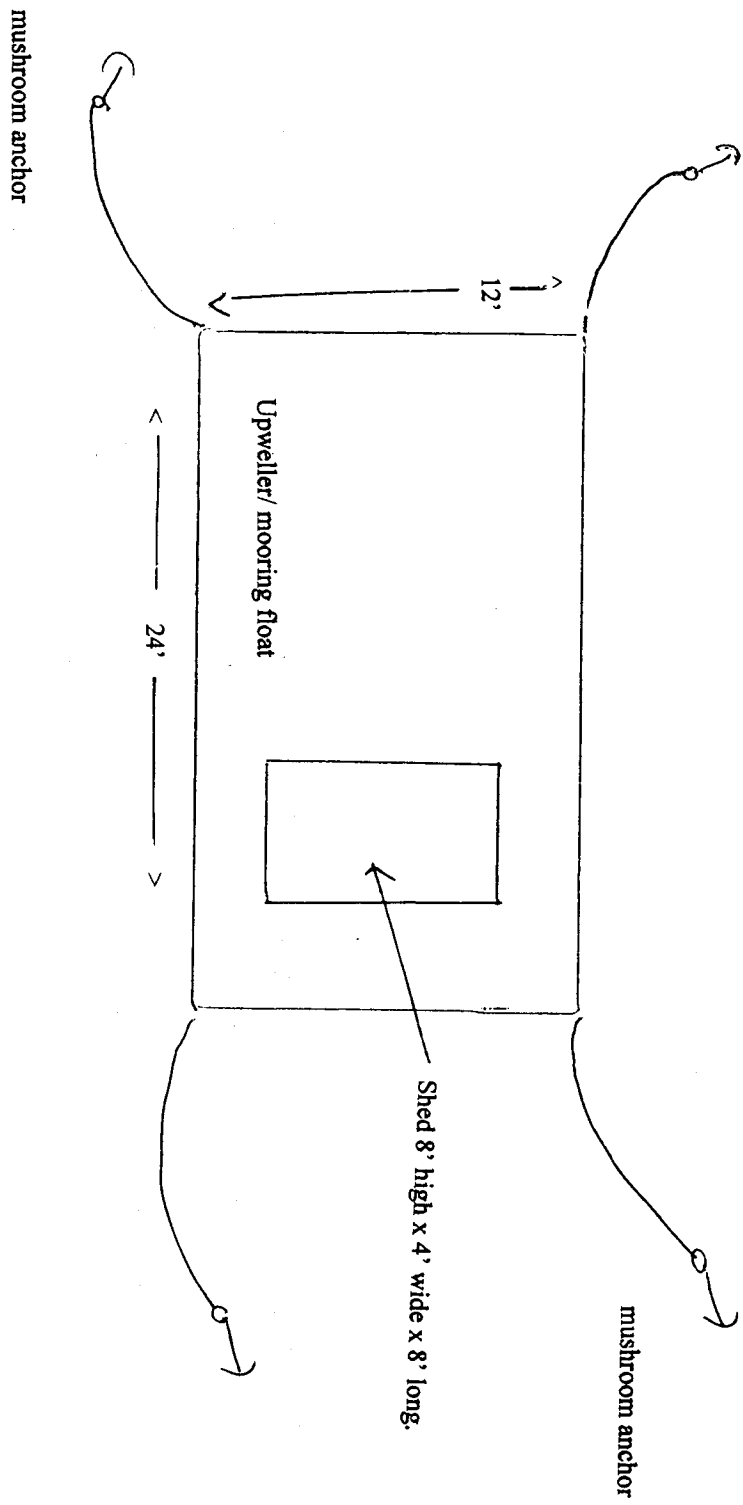
D. Schweitzer

2d. Maximum structure schematic cross section (not to scale).

D. Schweitzer



2e. Top view of on site support structure
- upweller / mooring float with shed.

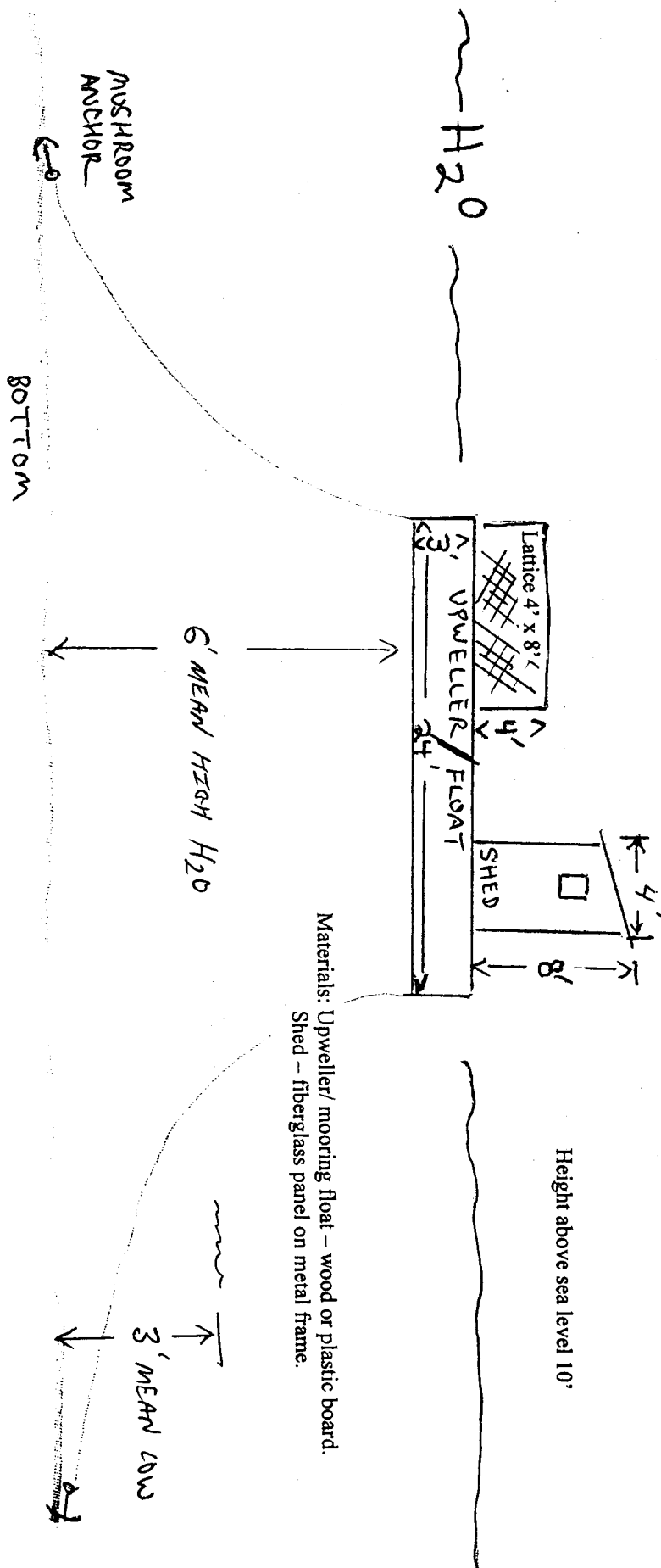


not to scale

D. Schweitzer

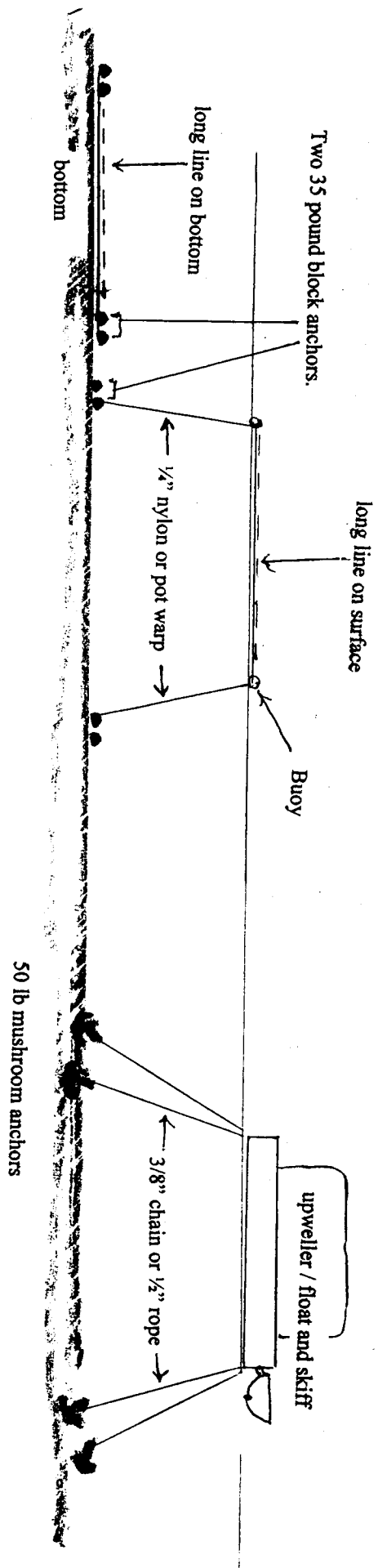
- 2e. Cross sectional view of onsite support structure
- upweller / mooring float with shed.

NOT TO SCALE



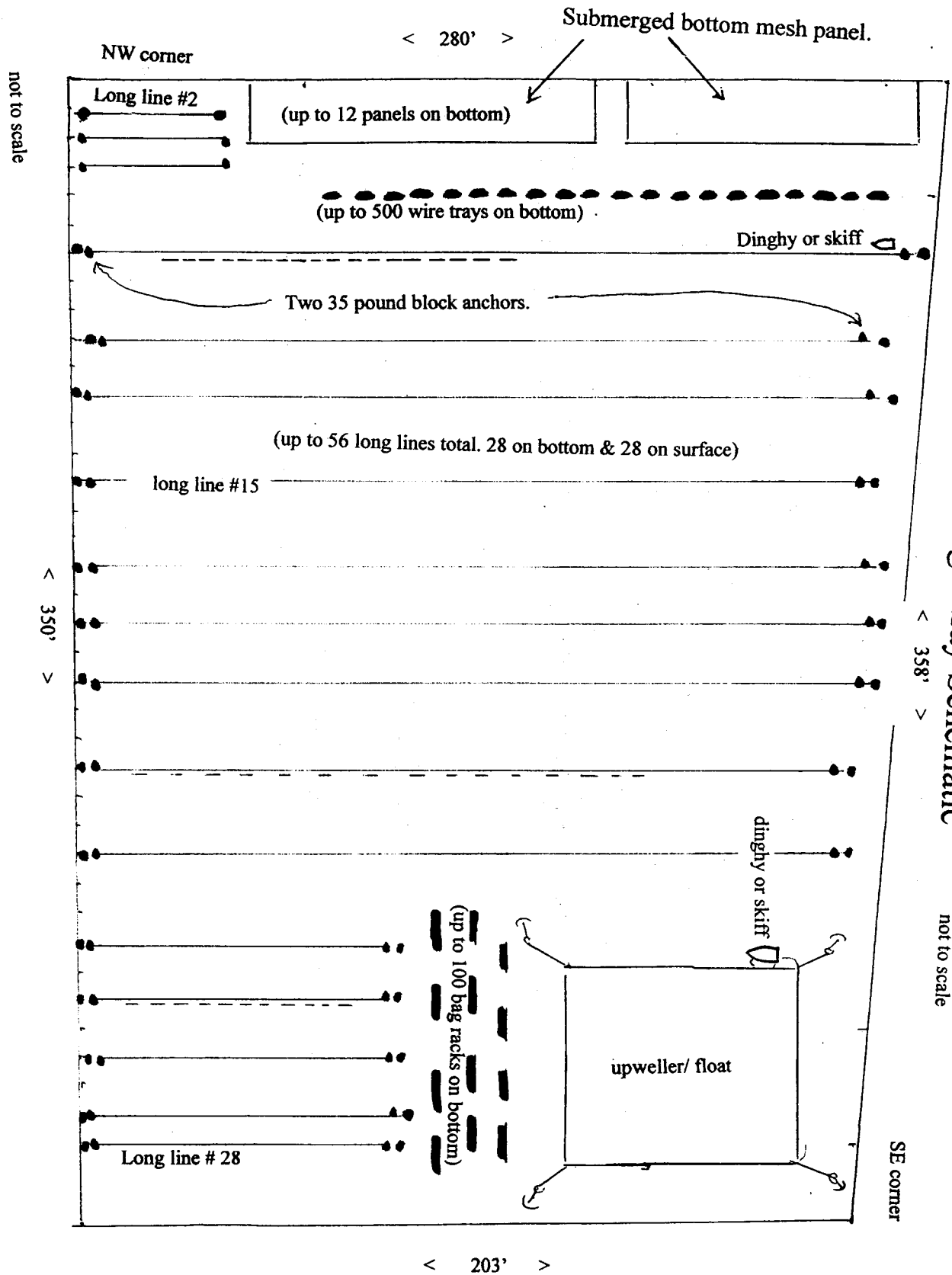
D. Schweitzer

2f. Mooring plan - cross section.



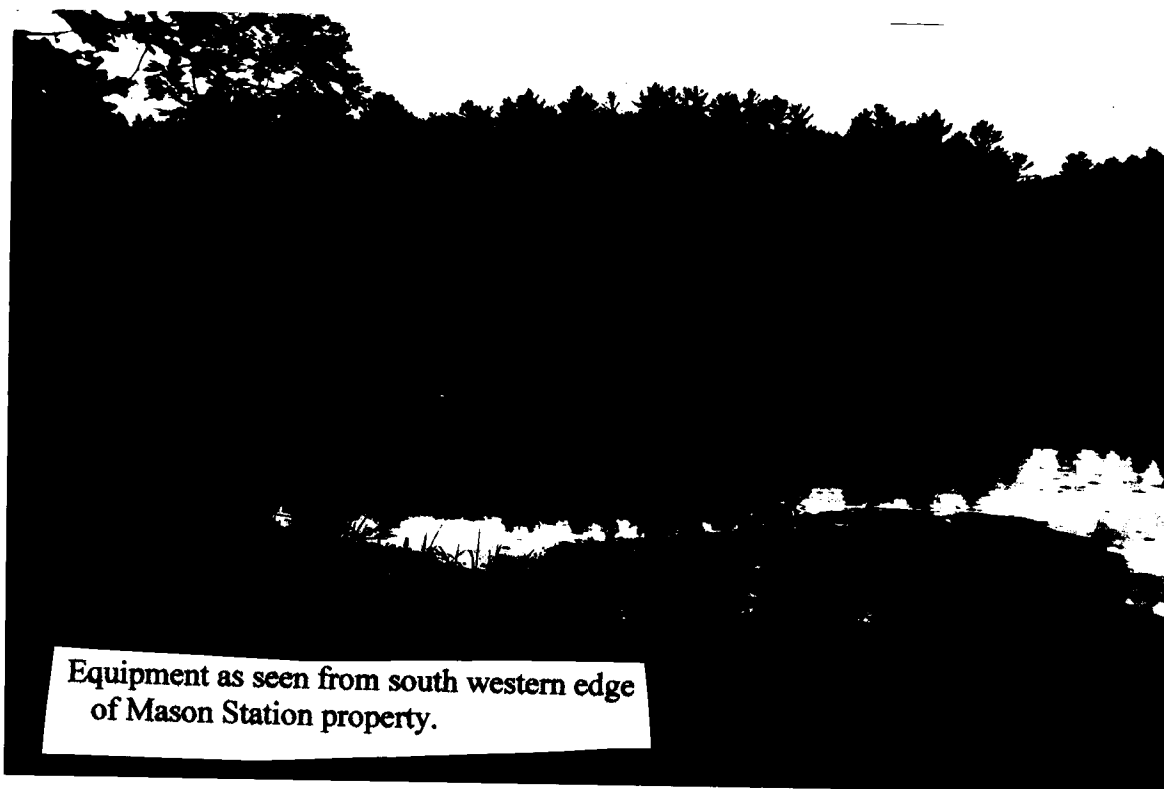
D. Schweitzer

2h. Structure and Mooring Array Schematic

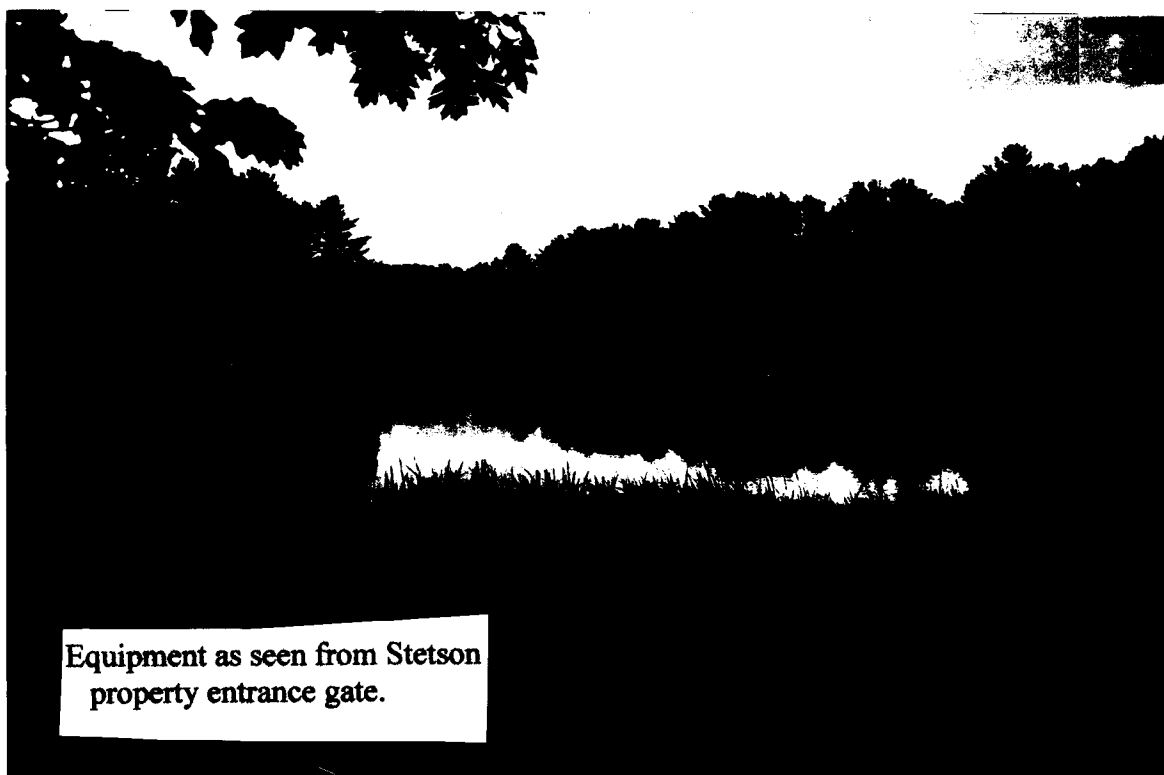


D. Schweitzer

2i. Equipment Layout



Equipment as seen from south western edge
of Mason Station property.



Equipment as seen from Stetson
property entrance gate.

D. Schweitzer



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

GEORGE D. LAPOINTE
COMMISSIONER

August 31, 2004

Daniel J. Schweitzer
50 Lord Road
Westport, ME 04578

Dear Mr. Schweitzer:

This letter is in response to your request for an evaluation of your aquaculture leases in the salt pond south of the Mason Station on the Sheepscot River in Wiscasset and whether their renewal would interfere with fish migration routes.

I visited the site today [August 31, 2004] and determined that there is very little spawning habitat for anadromous fish species located in the small watershed draining into the salt pond. The pond is partially impounded by a small dam, which is inundated on an incoming tide. It is unlikely that the suspended or bottom culture leases will interfere with the migration of anadromous fish; marine and estuarine fish should be able to migrate over the low head dam. Further review will be needed, however, if you propose to modify the tidal dam.

Sincerely,

THOMAS S. SQUIERS, JR., DIRECTOR
STOCK ENHANCEMENT DIVISION

cc: Mary Costigan, DMR Aquaculture Hearings Officer
Laurice Churchill, DMR Regulation/Information Officer
Gail Wippelhauser, DMR Marine Scientist II



100% RECYCLED PAPER

OFFICES AT STEVENS SCHOOL COMPLEX, HALLOWELL

PHONE: (207) 624-6550

TTY: (207) 287-4474

<http://www.maine.gov/dmr>

FAX: (207) 624-6024

INLAND FISHERIES & WILD LIFE

MDIFW
270 Lyons Road
Sidney, ME 04330

phone: 547-5319
Fax: 547-4035
E-mail: keel.kemper@state.me.us

Dan Schweitzer
50 Lord Road
Westport Island, ME 04578

August 29, 2004

Dear Mr. Schweitzer,

RE: aquaculture lease application

As requested I have reviewed department files for the presence of any Essential or Significant Wildlife Habitats associated with your aquaculture lease site located in Wiscasset, Maine. The following represent a summary of my findings:

Essential Habitats:

Essential Habitats are defined as "areas currently or historically providing physical or biological features essential to the conservation of an Endangered or Threatened species in Maine and which may require special management considerations". Essential Habitat protection in Maine currently applies to bald eagle nest sites, least tern, roseate tern, and piping plover colonies. Additional listed species may receive attention in the future.

According to MDIFW records, there are no Essential Habitats known to be associated with this location.

Significant Wildlife Habitats:

The Natural Resources Protection Act, administered by the Maine Department of Environmental Protection, provides protection to certain natural resources including Significant Wildlife Habitats. Significant Wildlife Habitats are defined by the NRPA as:

- Habitat for State and Federally listed Endangered and Threatened species
- High and moderate value deer wintering areas and travel corridors
- High and moderate value waterfowl and wading bird habitats, including nesting and feeding areas
- Shorebird nesting, feeding, and staging areas
- Seabird nesting islands

- Atlantic Salmon spawning and nursery habitat

According to MDIFW records there are no Significant Wildlife Habitats directly associated with this location.

Please be aware that while relatively comprehensive, our files are far from complete. Many habitat features important to Maine wildlife are not included in the present database. The Department of Marine Resources (633-9500) or Atlantic Salmon Commission (941-4452) can provide information describing use of an area by anadromous fish and other species. For comprehensive data relating to rare or exemplary plant habitats and ecological communities, contact the Maine Natural Areas Program. (287-8042)

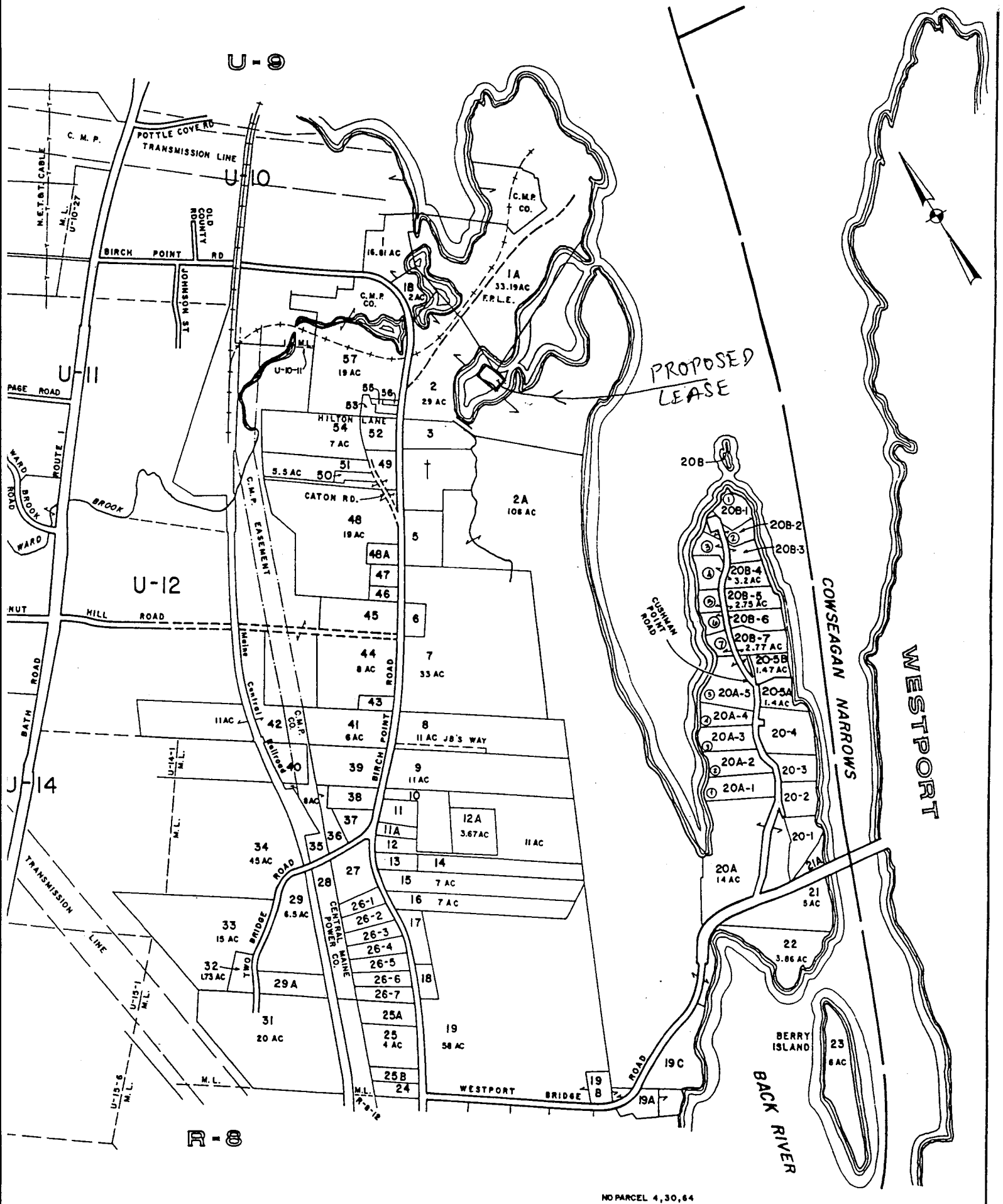
Thank you for contacting MDIFW as part of your planning process. I trust that this letter satisfies your request. If I can be of any further assistance please contact me directly at 547-5319.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Keel Kemper". The signature is stylized with a large, looped "K" and a trailing flourish.

G. Keel Kemper

Regional Wildlife Biologist



PROPERTY MAP
WISCASSET, MAINE

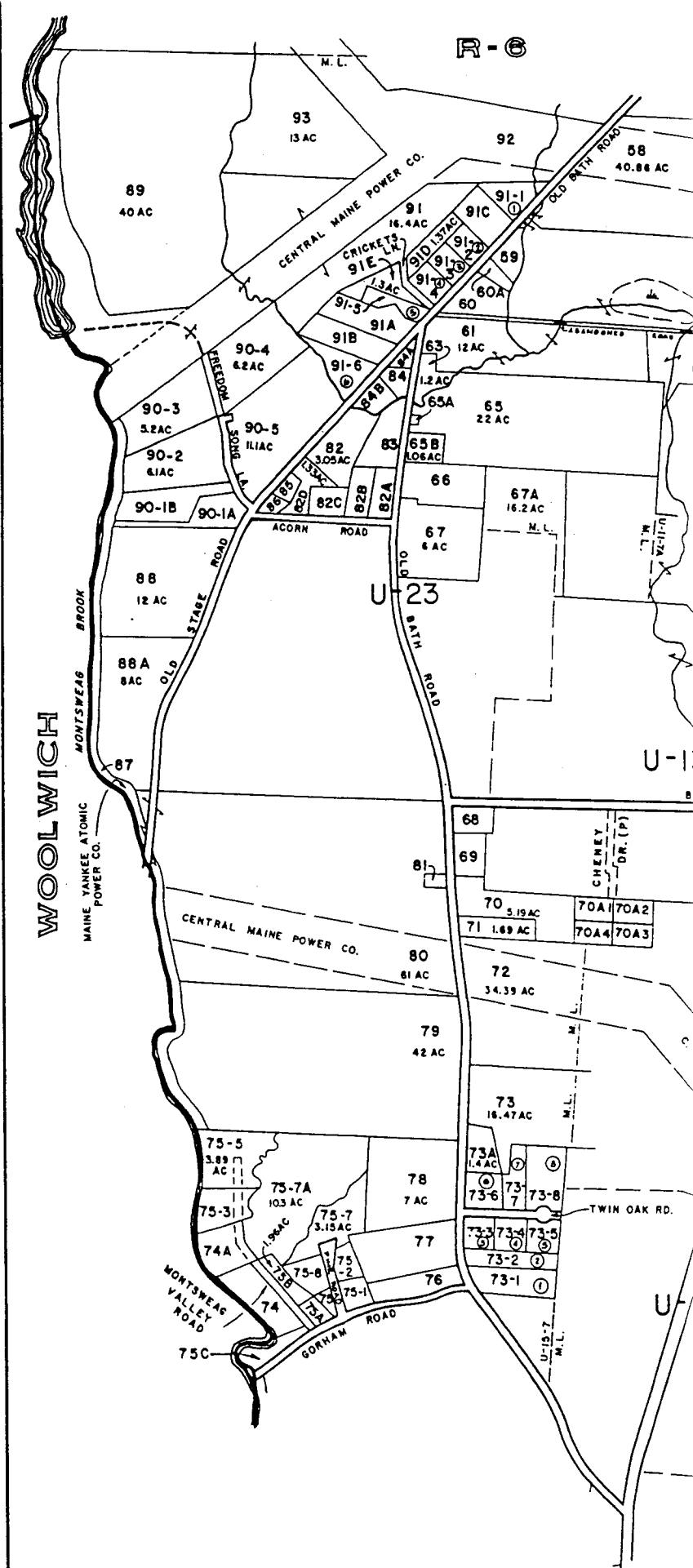
SCALE IN FEET
0 500 1000

R-7

A TRUE ATTESTED COPY:

Sandra M. Johnson

Sandra M. Johnson, Town Clerk Wiscasset



FOR ASSESSMENT PURPOSES ONLY
NOT FOR PROPERTY CONVEYANCES

JOHN E. O'DONNELL & ASSOCIATES
AUBURN, MAINE
1973

Wiscasset
11:20 AM

6a. RIPARIAN PROPERTY

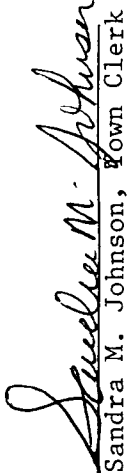
Real Estate

ACCOUNT LIST BY MAPLOT (a - ZZZZZZ)

06/10/2004
Page 93

count	Card	Name / Address	Location	Map/Lot
00002	001	MASON STATION LLC	144 BIRCH POINT ROAD	R07-001-A
		485 WEST PUTNAM AVENUE GREENWICH CT 06830		

00900	001	STETSON, THOMAS B., TRUSTEE OMEGA	E/S BIRCH POINT ROAD	R07-002
		5 WEST STREET BATH ME 04530		
02197	001	CHEWONKI FOUNDATION	OFF BIRCH POINT ROAD	R07-002-01
		485 CHEWONKI NECK ROAD WISCASSET ME 04578		

A TRUE ATTESTED COPY: 
Sandra M. Johnson, Town Clerk Wiscasset

Tom B. Stetson
Trustee
Omega Trust
5 West Street
Bath, ME 04530

September 2, 2004

Daniel Schweitzer
50 Lord Road
Westport, ME 04578

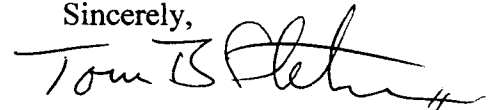
Re: Permission to cross lot 2 on Wiscasset tax map R-7.

Mr. Schweitzer,

This letter shall serve as permission for you to cross the property in order to access aquaculture leases. Conditions are as follows:

- 1) You may cross the property by parking along the pavement near the power plant fence and the old ice canal. Use of a wheel barrow to transport material to and from the pond is fine. Occasionally, you may cross the property at this same location using your pick up truck provided the ground is not soft from rain.
- 2) In order to observe your lease, you may drive down the dirt road as far as the entrance gate.
- 3) You may use a hand tool such as garden scissors to clip any twigs or weeds which extend into the dirt road and scrape your pick up truck.
- 4) This permission shall apply both to your current 'experimental' lease and to your 'standard' lease application.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom B. Stetson", with a stylized flourish at the end.

Tom B. Stetson



The Chewonki Foundation
485 Chewonki Neck Road
Wiscasset, Maine 04578-4822
207-882-7323 Fax 207-882-4074
www.chewonki.org info@chewonki.org

13 September 2004

Dan Schweitzer
50 Lord Road
Westport Island, Maine 04578

RE: Permission to cross Lot 2 on Wiscasset tax map R-7.

Dear Dan,

Thanks for asking for permission to cross property owned by Chewonki and the Stetsons to reach your aquaculture leases.

You may cross the property by parking along the pavement near the power plant fence and the old ice canal. Use of a wheel barrow to transport material to and from the pond is fine. If you need to cross with a pick-up truck, please be aware that the ground is frequently too soft to bear the weight.

In order to observe your lease more closely, you may drive down the dirt road to the gate. The gate is currently in disrepair and will be replaced later this fall with a steel gate.

Feel free to prune the way with clippers if you feel that the vegetation along the dirt road may interfere with your truck.

This permission applies to both your experimental lease and to your standard lease application.

Good luck with your work.

Best regards,

Don Hudson
President



Office of the Town Manager
P.O. Box 328
51 Bath Road
Wiscasset, ME 04578



Tel 207-882-8200
Fax 207-882-8228
Email wiscasset@wiscasset.net

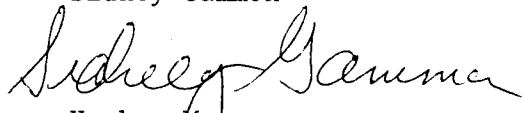
Town of Wiscasset

August 27, 2004

Mr. Dan Schweitzer,

Regarding your request for a letter from the Harbor Master of Wiscasset.....
I have personally viewed the area in which you are operating your oyster farm.
This area presents no hazards to navigation, nor any other encumbrances upon
the Wiscasset mooring area.

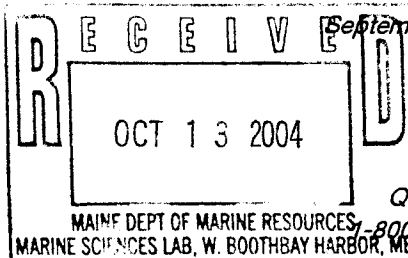
Sidney Gammon


Harbor Master
Wiscasset Maine



KeyBank
P.O. Box 93885
Cleveland, OH 44101-5885

Key Choice Checking Statement



September 21, 2004



T 0011 0000 R 54 T1

DANIEL J SCHWEITZER
50 LORD RD
WESTPORT ME 04578-3001

Questions about your account?
1-800-KEY2YOU (1-800-539-2968)

Or, write us:
KeyBank National Association
P.O. Box 94825
Cleveland, Ohio 44101

Online Statements - Now available through Online Banking on Key.com



Key Choice Checking

Account number: 1

Account title: DANIEL J SCHWEITZER

Balance on Aug 19, 2004	\$2,422.66
Additions	
Deposits	338.71
Deductions	none
Balance on Sep 21, 2004	\$2,761.37



KeyNotes

Birth Certificates, Car Titles, Family Jewelry, Computer Disks.....A KeyBank safe deposit box is a good place to ensure the security your valuables require.

Stop by your local KeyCenter today and open a safe deposit box for peace of mind.

Service is The Key Difference.

When you do business with KeyBank, you can expect a superior level of service that you won't find anywhere else.

We promise to:

...Put you first

...Help you find answers and solutions

...Respond to your calls and e-mails within 24 hours

...Follow through until you're satisfied

To be sure we're delivering the service you expect, we'd like you to tell us how we're doing.

Call us at 1 800 539-4038, e-mail us at keydifference@keybank.com, or visit a KeyCenter and fill out a comment card.

The Key Difference is a registered service mark of KeyCorp.



Member FDIC
Page 1 of 3

September 21, 2004



KeyNotes (continued)

Apply today for our Special Bonus Introductory APR credit card offer!*

Discover the extraordinary benefits of our no annual fee KeyBank Platinum MasterCard® or VISA® and enjoy the financial security and peace of mind they provide.

Platinum Benefits include:

...Special Bonus introductory APR on purchases and balance transfers

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...24-hour customer service

...Access to ATMs and merchants worldwide

...Annual account summary

** Credit Cards are subject to credit approval and issued by Citibank (South
kota), N.A. Benefits are subject to conditions and limitations by
d-party providers.*

Deposits

<i>Date</i>	<i>Description</i>	<i>Amount</i>
9-7	Customer Deposit	\$338.71
Total		\$338.71



THFT _____ STFD 1 THF TRANSACTION STMT FORMAT 04/10/07 10.14.13
 STMT CO 1961 OP MS 50852 ACTION COMPLETE
 ACTION COID 1961
 PROD CODE DDA ACCT _____ SHORT NAME SCHWEITZER DANIEL J
 CURR CODE PAGE 1 SEARCH FROM 104/09/07 THRU 104/10/05
 ACTN POST EFFECTIVE CHECK NUMBER TRAN AMOUNT D/C BALANCE
 TRACE ID DESCRIPTION
 _____ * 09/07 338.71 C 2,761.37
 C 001104090743629043 CUSTOMER DEPOSIT
 _____ 09/23 16,149.40 C 18,910.77
 C 001104092341203782 CUSTOMER DEPOSIT
 _____ 10/05 0751 25.00 D 18,885.77
 D 002104100544155411 CHECK # 751

PF: 4-BOT 5-SWAP 6-INQ 7-SB 8-SF 9-NXT 10-ASUM 11-STSM

1999 - 200⁴~~2~~ Proprietor, Island Oyster Company, Westport Island, ME.

1999 - 2002 Coordinator, Westport Community Aquaculture Project.

1999 - 2001 Volunteer Shore Steward for Westport Island,
Maine Department of Marine Resources – Water Quality Program.

1998 – 2000 Westport Island Shellfish Ordinance Committee.

1/95 – 12/96 Research Assistant – University of Connecticut Marine Sciences Institute.

4/94 – 10/95 Owner and Operator of a commercial shell-fishing vessel, Milford, CT.

4/93 – 8/93 Laboratory Aide – National Marine Fisheries Service, Milford, CT.

6/92 – 9/92 Oyster Boat Captain – Briarpatch Enterprises, Milford, CT.

6/91 – 9/91 Crew Member, Wellfleet Oyster & Clam Company, Wellfleet, MA.

6/90 – 8/90 Crew Member, Aquacultural Research Corp., Dennis, MA.